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**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**



Application Number: 09/904,734
Filing Date: July 13, 2001
Appellant(s): BANERJEE ET AL.

Gero G. McClellan
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed 3/23/2006 appealing from the Office action mailed 9/22/2005.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

| | | |
|---|---|---|
| 6,496,793 | VEDITZ et al. | 12-2002 |
| 6,185,729 | WATANABE et al. | 2-2001 |
| 2002/0156688 | HORN et al. | 10-2002 |
| 2003/0088544 | KAN et al. | 5-2003 |

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

**Claims 1, 3-5, 7-9, 12-14, 16, 18-20, and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Veditz et al. ("Veditz"), U.S. Patent No. 6,496,793, in view of Watanabe et al. ("Watanabe"), U.S. Patent No. 6,185,729.**

**Regarding independent claim 1,** Veditz teaches a method of determining character sets (see Abstract), comprising **at least one of**:

(a) *selecting a character set for a client request made by a client (...)* (see col. 3 lines 23-53: Veditz teaches a Language Driver Identifier (LDID) for storing in desired locations of a data object information specifying the language driver that was in use at creation or modification of the data object)*, the selecting comprising:*

*determining whether the client request includes (...) a request character set designation* (see Fig. 3A – 303 and col. 16 lines 49-67 *et seq.*: Veditz teaches a method that determines whether the requested data file includes a language driver identification ("LDID") (i.e. stored in header file); see also Fig. 2C → File Header); *and*

*if the client request does not include the request character set designation:*

*(i) retrieving locale information contained in the client request* (see Fig. 3B: The Veditz method compares LDID of data file to the retrieved Active LDID (*compare with* "locale information") of the client system; see also col. 3, lines 29-31); *and*

*(i) associating the locale information with the request character set designation using mapping data* (see Fig. 2B: Veditz teaches that if the

Active LDID is not equal to Local LDID, it maps the Local LDID into the Active LDID. see also col. 3, lines 54-60; col. 7, lines 52-64; col. 18, lines 21-26); *and*

(b) *selecting a response character set for a response (...)* (see col. 3 lines 23-53: Veditz teaches a Language Driver Identifier (LDID) for storing in desired locations of a data object information specifying the language driver that was in use at creation or modification of the data object), *the selecting comprising:*

*determining whether the (...) response includes a response character set designation* (see Fig. 3A – 303 and col. 16 lines 49-67 *et seq.*: Veditz teaches a method that determines whether the requested data file includes a language driver identification ("LDID") (i.e. stored in header file); see also Fig. 2C → File Header);

*if the (...) response does not include the response character set designation,*

*(i) retrieving locale information contained in the (...) response* (see Fig. 3B: The Veditz method compares LDID of data file to the retrieved Active LDID (*compare with* "locale information") of the client system; see also col. 3, lines 29-31); *and*

*(ii) associating the locale information contained in the (...) response with the response character set designation using the mapping data* (see Fig. 2B: Veditz teaches that if the Active LDID is not equal to Local LDID,

it maps the Local LDID into the Active LDID. see also col. 3, lines 54-60; col. 7, lines 52-64; col. 18, lines 21-26).

Veditz does not explicitly teach client-server communications, including using a network communication protocol for a client request to a server. However, Watanabe teaches a method and system for developing and testing internationalized software including a multibyte English locale directed to a network communication protocol for the express motivational purpose of transferring locale information over computer networks from server to a client (see col. 5 lines 34-46 and col. 6 lines 8-28).

Since Veditz and Watanabe are both from the same field of endeavor, the purposes disclosed by Watanabe would have been recognized in the pertinent art of Veditz. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Veditz with the teachings of Watanabe to include client-server communications, including using a network communication protocol for the purpose of transferring locale information over computer networks from a server to a client.

**Independent claims 12 and 16** incorporate substantially similar subject matter as independent claim 1, and are rejected along the same rationale.

**Regarding claims 3 and 18,** Veditz teaches wherein associating comprises accessing a character set lookup table that maps the locale information to the request

character set designation and response request character set designation, respectively (see Fig. 2C → "LDID Lookup Table;" see also col. 4, lines 36-39 → i.e., code page).

**Regarding claims 4 and 19,** Veditz teaches further comprising associating the request character set designation with a code-set converter designation by accessing a converter lookup table which maps the code-set converter designation with the request character set designation (see Fig. 2C → i.e., "LDID Value;" see also col. 14, lines 49-60).

**Regarding claims 5, 14, and 20,** Veditz teaches wherein the locale information contains a cultural language preference identifier (see col. 11, lines 5-18 → The user may specify language preferences (i.e. default values).

**Regarding claims 7, 13, and 22,** Veditz teaches further comprising associating the request character set designation with a code-set converter designation (see Fig. 2C; col. 13, lines 10-67 to col. 14, lines 1-62).

**Regarding claims 8 and 23,** Veditz teaches wherein the code-set converter designation is contained in a lookup table and is mapped with response character set designation (see Fig. 2B, 2C; col. 13, lines 10-67 to col. 14, lines 1-62).

**Regarding claims 9 and 24,** Veditz teaches wherein the code-set converter designation is indicative of user specific implementations of character sets (see Fig. 2C; col. 12 lines 37-42 et seq.).

**Claims 2, 6, 10, 11, 17, 21, 26, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Veditz et al. ("Veditz"), U.S. Patent No. 6,496,793, in view of Horn et al. ("Horn"), U.S. Patent Application Publication No. 2002/0156688.**

**Regarding claim 2,** Veditz teaches a method of determining character sets of client-server communications with respect to independent claim 1 as discussed above, but does not specifically teach the client request and server response being formatted as HTTP.

However, Horn teaches client request and server responses formatted in HTTP (see [109], [156], and [202]) for the purpose of defining how messages are formatted and transmitted, and what actions Web servers and browsers should take in response to various commands.

Since Horn and Veditz are both from the same field of endeavor, the purposes disclosed by Horn would have been recognized in the pertinent art of Veditz. It would have been obvious at the time the invention was made to a person having ordinary skill

in the art to modify the teaching of Veditz with the teachings of Horn to include client request and server responses formatted in HTTP (see [109], [156], and [202]) for the purpose of defining how messages are formatted and transmitted, and what actions Web servers and browsers should take in response to various commands.

**Regarding claim 6,** Veditz teaches a method of determining character sets of client-server communications with respect to independent claim 1 as discussed above, but does not specifically teach the character set designations containing an IANA character set parameter.

However, Horn teaches the character set designations containing an IANA character set parameter (see [178]) for the purpose of preserving the central coordinating functions of the global Internet for the public good.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Veditz with the teachings of Horn to include the character set designations containing an IANA character set parameter (see [178]) for the purpose of preserving the central coordinating functions of the global Internet for the public good.

**Regarding claims 10 and 11,** Veditz teaches a method of determining character sets of client-server communications with respect to independent claim 1 as discussed above, but does not specifically teach converting the client request into Unicode

characters and converting the response from Unicode characters to the character set associated with the locale information.

However, Horn teaches the use of Unicode, a fixed-width, 16-bit worldwide character-encoding standard for the purpose of simplifying localization of software and improving multilingual text processing (see [0293]).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Veditz with the teachings of Horn to include converting the client request into Unicode characters and converting the response from Unicode characters to the character set associated with the locale information standard for the purpose of simplifying localization of software and improving multilingual text processing.

**Claim 17** incorporates substantially similar subject matter as claim 2, and is rejected along the same rationale.

**Claim 21** incorporates substantially similar subject matter as claim 6, and is rejected along the same rationale.

**Claim 26** incorporates substantially similar subject matter as claim 10, and is rejected along the same rationale.

**Claim 27** incorporates substantially similar subject matter as claim 11, and is rejected along the same rationale.

**Claims 15 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Veditz et al. ("Veditz"), U.S. Patent No. 6,496,793, in view of Watanabe et al. ("Watanabe"), U.S. Patent No. 6,185,729 in further view of Kan et al. ("Kan"), U.S. Patent Application Publication No. 2003/0088544.**

**Regarding claims 15 and 25,** Veditz, in view of Watanabe, teach the system with respect to independent claim 12 as discussed above, but does not specifically teach a *JVM code-set converter*.

However, Kan teaches a peer-to-peer network executing on a Java Virtual Machine (JVM) for the purpose of providing inter-operability between compliant software components (see [0298], [0315]).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Veditz, in view of Watanabe, with the teachings of Kan to include a Java Virtual Machine (JVM) for the purpose of providing inter-operability between compliant software components.

**(10) Response to Argument**

Beginning on page 13 of the Appeal Brief (hereinafter the Brief), Appellant argues the following specific issues which are accordingly addressed below.

a. ***Appellant first contends that the "LDID" value in Veditz is retrieved from the data object and not retrieved from the client request. Appellant submits therefore, that Veditz fails to disclose "determining whether the client request includes...a request character set designation," as recited by claims 1 and 16*** (page 13, middle paragraph of the Brief).

Examiner respectfully disagrees. As discussed in the rejection of independent claim 1, Veditz specifically teaches that a user may make a request for the retrieval of a data file (see Fig. 3A – 301 and col. 16 lines 49-67 *et seq.*). The Veditz system then determines whether the requested data file includes a language driver identification ("LDID") (i.e., "character set designation") (see Fig. 3A – 303 and col. 16 lines 49-67 *et seq.*).

Appellant's argument centers upon the lack of a description for the term "client" in the cited prior art of record, Veditz. A "client", however, is simply defined as the user's computer (PC, Mac, Workstation). A "client" computer can contain its own applications that are run on its own machine (i.e., fat client) and does not necessitate a server for its application processing (i.e. thin client) as Appellant's argument implies. Thus, the user's CPU, or client, can make a request to its own application files.

Therefore, Veditz teaches that a client can request and retrieve a character set designation data file (i.e., LDID) from its own machine's application processing files, namely a database in this particular case (see Fig. 3A – 301 and col. 16 lines 49-67 *et seq.*).

b. ***Appellant next contends that Veditz does not describe anything <u>being retrieved</u>, let alone, locale information being retrieved from a client request. Instead, this material describes an "active LDID" being compared to the LDID of a "data file". Nothing about a client request is described, or would even be germane, to the comparison of an "active LDID" and the "LDID" of a "data file"*** (page 13, bottom of the Brief).

Examiner respectfully disagrees. First, and foremost, Examiner would like to point out that locale information is present on both the "active LDID" which the user's system currently operates under (i.e., during the current session) and the "LDID" of the data file (see col. 3 lines 23-54).

In Fig. 3A – 301 and 303 of Veditz, a data file is requested by a client from its own database applications and the LDID in the data file is read (see also col. 16 lines 49-57). Furthermore, a "local LDID" may be set to the value of an "active LDID" after a comparison of the two language drivers (see col. 18 lines 10-26). Appellant's argument seems to center upon the lack of a description for the term "retrieved". However, Veditz clearly teaches that the LDID files are requested for and read by the National Language

Support system of Veditz. In order for a data file to be accessed, read, or compared, the data file must have been retrieved.

Therefore, data being retrieved, if not inherent, at the very least was obvious to one of ordinary skill in the art that the time the invention was made.

c. ***Appellant contends that cited secondary reference, Watanabe, fails to disclose any details of client server communications, communications protocols, client requests or server responses*** (page 14 of the Brief).

Examiner respectfully disagrees. As previously discussed, Watanabe teaches a method and system for developing and testing internationalized software including a multibyte English locale directed to a network of one or more computers and one or more locales for the motivational purpose of a faster and more efficient transfer of locale information over a plurality of computers over a network (see col. 5 lines 34-46, col. 6 lines 8-28).

A network is fundamentally a distributed architecture system in which software is split between client-server tasks. A client sends requests to a server, according to some communications protocol, asking for information or action, and the server responds. A network communication protocol is a hardware or software standard that governs data transmission between computers. The term "protocol" is very generic and is used for hundreds of different communications methods. Therefore, if not inherent, at the very least it was obvious to one of ordinary skill in the art at the time the invention

was made that a network includes client-server communications, communications protocols, client requests or server responses.

Thus, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Veditz with the teachings of Watanabe to include client-server communications, including using a network communication protocol for the purpose of transferring locale information over computer networks - since a network is fundamentally a client/server architecture for sending and receiving information.

**d.** ***Appellant believes the rejections of claim 15 and 25 was intended to rely on Veditz in view of Watanabe, and further in view of Kan*** (page 15, last paragraph of the Brief).

Appellant's assumption is correct. The typographical error in the Final Office Action has been noted and corrected.

**(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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June 8, 2006

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